

### **REMARKS**

This amendment is responsive to the Office Action mailed August 24, 2007. Reconsideration and allowance of claims 2-18 and 21-23 are requested.

#### **The Status of the Claims**

Claims 1, 2, and 5-18 stand rejected under 35 U.S.C. § 102(b) as allegedly anticipated by Lanz et al., DE 101 09 489 (hereinafter "Lanz").

Claim 19 and 20 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Lanz in view of Maudsley, U.S. Pat. No. 4,594,566 (hereinafter "Maudsley").

Claims 3 and 4 are indicated as containing allowable subject matter.

#### **The Claims Distinguish Patentably Over the References of Record**

**Claim 3**, which was indicated as containing allowable subject matter, has been placed into independent form including the limitations of canceled claim 1. Dependent claims 2, 5, 9, 10, 11, and 13 have been placed off of claim 3. Regarding claim 5, it is noted that the combination of this subject matter with that of claim 3 is supported in the original specification at least by Fig. 6 and related text at least at page 7 disclosing that the coil of Fig. 6 is switchably operable as either a volume resonator or as a selected phased array of sub-coils. Accordingly, it is respectfully submitted that claims 2-13 are in condition for allowance. Applicants therefore respectfully request allowance of claims 2-13.

**Claim 14** has been amended to incorporate the subject matter of canceled claim 1 so as to be a fully independent claim. Claim 14 is also amended to incorporate allowable subject matter of claim 3. Accordingly, it is respectfully submitted that claims 14-18 are in condition for allowance, and Applicants therefore respectfully request allowance of claims 14-18.

New **claims 21-23** have been added to claim certain patentable aspects. Claim 21 calls for couplings between the birdcage and TEM sections that cooperate with the birdcage and TEM sections to define a volume resonator. Claim 21 further call for neither the birdcage section nor the TEM section alone to define a complete circumference around a subject receiving region but for the birdcage section and the

TEM section together to cooperatively define a complete circumference around the subject receiving region. This latter subject matter is supported at least by Figs. 1, 5, and 8-10 each of which show such a configuration. Accordingly, it is respectfully submitted that claims 21-23 are in condition for allowance, and Applicants therefore respectfully request allowance of claims 21-23.

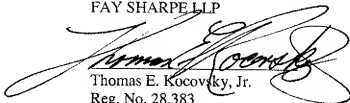
### CONCLUSION

For the reasons set forth above, it is submitted that claims 2-18 and 21-23 distinguish patentably over the references of record and meet all statutory requirements. An early allowance of all claims is requested.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he is requested to telephone Thomas Kocovsky at (216) 861-5582.

Respectfully submitted,

FAY SHARPE LLP

A large, stylized handwritten signature in black ink, which appears to read "Thomas E. Kocovsky, Jr.", is written over the printed name and registration information.

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